

REMARKS

Invention Election

In the Restriction Requirement mailed May 31, 2006, the Examiner required restriction to one of the following inventions:

- Group I: Claims 1-11, drawn to a nucleotide encoding a single CD8 alpha-chain and a single gene of interest of the 20 genes of interest listed in claim 7, classified in class 536, subclass 23.1;
- Group II: Claims 12-17 drawn to a method of reducing immune response comprising a nucleic acid encoding a CD8 alpha chain and a gene of interest, classified in class 514, subclass 44;

Applicants elect **Group I, claims 1-11**, without traverse, for further prosecution. Claims 8-10 have been amended for clarity. Claims 11 and 14 have been amended to correct typographical errors. Claim 12 has been amended as discussed below.

As acknowledged by the Examiner on page 2 of the Office Action, Group I and II are related as a product and process of use. Applicant makes this election with the understanding that upon finding a product claim of elected Group I allowable, the withdrawn process claims of Group II that depend from or otherwise include all limitations of such an allowable product claim will be rejoined with the pending claims, in accordance with the provisions of M.P.E.P. §821.04. As such, claims 12-17 of Group II are withdrawn but claim 12 has been amended such that claims 12-17 now depend from claim 1. In addition, Applicant reserves the right to pursue the subject matter of the non-elected invention at a later date.

Species Election

For Group I, the Examiner has required election of a single SEQ ID NO and a single gene of interest. Applicant elects **SEQ ID NO. 2** and **ornithine carbamoyl transferase**. However, Applicant points out that claim 1 is generic. Upon allowance of claim 1, Applicant will request consideration of claims to the non-elected species.

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Prompt and favorable consideration of this Response is respectfully requested. Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Respectfully submitted,
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